

EXHIBIT N

Marc Weingard

From: Marc Weingard
Sent: Monday, February 09, 2015 9:57 AM
To: Roesser, John D.
Cc: 'Pollack, Bonnie'; Mark Friedman; 'Ortiz & Ortiz, LLP'
Subject: Exeter

John,

With respect to Plaintiff's spoliation motion, please advise whether you will agree to make Plaintiff's expert, Mr. Brian Fox, available to be deposed by Defendants by no later than February 20, 2015. Please further advise whether you will agree to produce the 25,321 deleted files that Mr. Fox claims to have recovered from the Exeter hard drive via "ordinary forensic means," to the extent those files exist in a format that can be produced.

If I don't hear from you by close of business tomorrow, I will assume that you have declined my requests and will seek relief from the Court.

Please call me with any questions regarding this matter.

Marc J. Weingard
Weinberg, Gross & Pergament LLP
400 Garden City Plaza
Garden City, New York 11530
Phone: (516) 877-2424
Fax: (516) 877-2460
email: mweingard@wgplaw.com

This message is being sent from a law firm and may contain information that is confidential or privileged. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy.